



JPW 1742

Practitioner's Docket No. 412483

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ian Baker et al.

Application No.: 10/796,675

Group No.: 1742

Filed: March 9, 2004

Examiner: Not yet assigned

**FOR: NOVEL HIGH-STRENGTH, MAGNETIC, NANOSTRUCTURED
ALLOYS**

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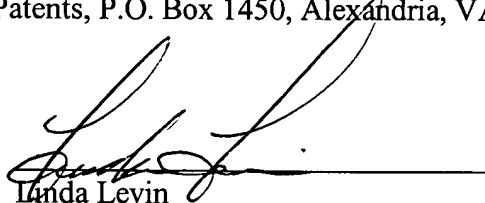
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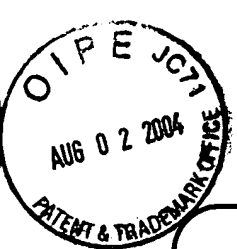
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I hereby state that the following *attached* papers:

- 1) Transmittal Form (1 page)
- 2) Information Disclosure Statement Transmittal Filed Under 37 CFR 1.97(b) (1 page)
- 3) Form 1449A/PTO (2 pages)
- 4) Copies of 14 cited references
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Linda Levin



PTO/SB/21 (04-04)

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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | | Application Number | 10/796,675 |
| | | Filing Date | March 9, 2004 |
| | | First Named Inventor | Ian Baker et al. |
| | | Art Unit | 1742 |
| | | Examiner Name | Not yet assigned |
| Total Number of Pages in This Submission | 5 + 14 cited references | Attorney Docket Number | 412483 |

| ENCLOSURES (check all that apply) | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): -Form 1449/PTO -Copies of 14 cited references -Certificate of Mailing -Return Postcard |
| <div>Remarks</div> | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|-------------------------------------|
| Firm or Individual name | Dan Cleveland, Jr., Reg. No. 36,106 |
| Signature | |
| Date | 7/29/04 |

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Application No.: 10/796,675
Filed: March 9, 2004
For: **NOVEL HIGH-STRENGTH, MAGNETIC, NANOSTRUCTURED ALLOYS**

Group No.: 1742
Examiner: Not yet assigned

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL
FILED UNDER 37 C.F.R. § 1.97(B)

Pursuant to 37 C.F.R. §§ 1.56, 1.97(b) and 1.98, Applicant submits herewith an Information Disclosure Statement Form PTO-1449 (modified) together with copies of references of which applicant is aware, which applicant believes may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56

This Application was filed after June 30, 2003. Therefore, Applicant(s) submit(s) herewith Form PTO 1449 – Information Disclosure Citation without copies of U.S. patents or U.S. publications, but includes copies of foreign patents, publications or other information of which Applicant(s) is/are aware, which applicant(s) believe(s) may be material to the examination of the application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

Applicant believes no fees are currently due. However, should any additional fees be required in connection with the filing of this Information Disclosure Statement, the Commissioner is hereby authorized to charge said fees to Deposit Account No. 12-0600.

Respectfully submitted,

Date: 2/29/04

By 

Dan Cleveland, Jr., Reg. No. 36,106
LATHROP & GAGE L.C.
4845 Pearl East Circle, Suite 300
Boulder, Colorado 80301
Tele: (720) 931-3011
Fax: (720) 931-3001

PTO/SB/08a (08-03)



PTO/SB/08b(08-03)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 2

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|------------------------|------------------|
| Application Number | 10/796,675 |
| Filing Date | March 9, 2004 |
| First Named Inventor | Ian Baker |
| Art Unit | 1742 |
| Examiner Name | Not yet assigned |
| Attorney Docket Number | 412483 |

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|------------------------|--------------------------|---|----------------|
| | | RAMANARAYAN AND ABINANDAN, Spinodal decomposition in fine grained materials, Bltn. Matter. Sci. Vol. 26, No. 1, 189-192 (January 2003) | |
| | | MAINVILLE ET AL., X-ray scattering Study of Early Stage Spinodal Decomposition in Al _{0.62} Zn _{0.38} , Phys. Review Lett. Vol. 78, No. 14, 2787-2790 (1977) | |
| | | GUHA, AMITAVA, Spinodal Decomposition in ToughMet and moldMAX XL, TechBriefs, BrushWellman Engineered Materials, pp. 1-2 | |
| | | AZCOITIA, C ET AL., Spinodal Decomposition in High Damping FE-Cr(Al, Mo) Alloys, pp. 1 | |
| | | GEDEON MIKE, Technical Tidbits, Publication by Brush Wellman Engineered Materials, Vol. 3 No. 1, pp. 2 | |
| | | SRINIVAS, M. ET AL. A first report on fracture toughness of BCC iron alloys as influenced by solutes; opposite effects of silicon and cobalt, Bull. Mater. Sci., Vol. 11 No. 4, December 1988, pp. 328-329 | |
| | | Spinodal Decomposition, http://pruffie.mit.edu/3.00/Lecture_32_web/node3.html , pp. 1-5 | |
| | | Hydraulic Pump Motor/High Pressure Pump, Application Report, Publication by Brush Wellman Engineered Materials, pp. 1 | |
| | | Nucleation and Growth, http://pruffie.mit.edu/3.00/Lecture_32_web/node4.html , pp. 1-5 | |
| | | SPINODAL DECOMPOSITION, IUPAC Compendium of Chemical Terminology, 2nd Edition (1997) pp. 1 | |
| | | MISRA, A. and GIBALA, R., Room-Temperature Deformation Behavior of Directionally Solidified Multiphase Ni-Fe-Al Alloys, Metallurgical and Materials Transactions A., Vol. 28A, March 1997, pp. 795-807 | |
| | | MISRA, A., et al., Optimization of toughness and strength in multiphase intermetallics, Elsevier Intermetallics 9 (2001) pp. 971-978 | |
| | | SZYMURA, S. The Effect of Manganese on the Modification of Non-Metallic Inclusions and Magnetic Properties of Columnar Alnico 5 Permanent Magnets, Journal of Magnetism and Magnetic Materials 30 (1983) pp. 389-394 | |
| | | CAHN, J.W., The 1967 Institute of Metals Lecture Spinodal Decomposition, Transactions of the Metallurgical Society of AIME Vol. 242, February 1968, pp. 166-180 | |

Examiner
SignatureDate
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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